

Judicial Administration Program Area Summary

Overview

Of the four agencies in this program area – Circuit Court and Records, Office of the Commonwealth’s Attorney, General District Court, and the Office of the Sheriff, all are dedicated to providing equal access for the fair and timely resolution of court cases. The Circuit Court, with 15 judges, has jurisdiction in criminal cases that involve a possible sentence to the State Penitentiary as well as misdemeanor appeals. It also has civil jurisdiction for adoptions, divorces, and lawsuits where the claim exceeds \$20,000. The General District Court has 10 judges and exercises jurisdiction over criminal and traffic court, and civil/small claims (not exceeding \$20,000), as well as assists defendants who request court-appointed counsel or interpretation services, interviews defendants in jail in order to assist judges and magistrates with release decisions, operates a supervised release program, and provides probation services to convicted misdemeanants and convicted non-violent felons.

The Commonwealth’s Attorney is a constitutional officer of the Commonwealth of Virginia. He is elected by the voters of Fairfax County and Fairfax City and is responsible for the prosecution of crime. The Office of the Sheriff falls under two program areas – Judicial Administration and Public Safety. In the Judicial Administration program area, approximately 27 percent of the agency staff ensure courtroom and courthouse security, as well as provide service of legal process, contributing to the swift and impartial adjudication of all criminal and civil matters before the courts.

Since late 2002, agencies in this program area, particularly the Commonwealth’s Attorney and the Circuit Court, in conjunction with the Juvenile and Domestic Relations District Court, have been extensively involved in the successful prosecution and conviction of the two individuals convicted of terrorizing the Metropolitan Washington area in the fall of 2002. The high-profile trials of these two snipers required the commitment of a significant level of resources, especially when the trials were moved out of the area to ensure an impartial jury pool.

Another key development in this program area involves the Judicial Center Expansion project, which includes a 316,000-square-foot addition to the Jennings Judicial Center including courtrooms, chambers, office space, necessary support spaces, and site improvements. The expansion project is currently underway and will consolidate court services, reduce overcrowding, allow after-hour access to the public law library and other court clerk functions, and provide additional courtroom space when it is completed in April 2007. Renovation will begin after the expansion project is complete and includes work to the existing 230,000-square-foot courthouse which has a projected completion date of February 2008. This project is primarily supported by 1998 and 2002 Public Safety Bond Referenda. A project of this magnitude will likely have an impact on operations; however, staff will work to minimize service disruptions.

Strategic Direction

As part of the countywide focus on developing strategic plans during 2002-2003, agencies took steps to establish or update their vision and values statements; perform environmental scans; and define strategies for achieving their missions. These are then linked to the overall County Core Purpose and Vision Elements (see adjacent box). Common themes in the Judicial Administration program area include:

- Equal access to justice
- Fair and timely resolution of cases
- Effective use of technology
- Volunteer utilization
- Courthouse security

A high workload continues to challenge each of the agencies in the Judicial Administration program area. As an example, in 2002, the most recent calendar year for which statistics are available statewide, the 15 judges in the 19th Circuit (Fairfax County and Fairfax City) averaged 953 civil cases each, ranking third among the 31 circuits. The state average for the year totaled 727 per judge and was 771 per judge in urban circuits. These workloads require each of

COUNTY CORE PURPOSE

To protect and enrich the quality of life for the people, neighborhoods, and diverse communities of Fairfax County by:

- Maintaining Safe and Caring Communities
- Building Livable Spaces
- Practicing Environmental Stewardship
- Connecting People and Places
- Creating a Culture of Engagement
- Maintaining Healthy Economies
- Exercising Corporate Stewardship

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the affected agencies to find ways to leverage constant or even decreasing resources in the face of increasing demands, largely due to the growing population.

In 2002, the Circuit Court recorded 421,643 land documents, more than double the average for the last 15 years, while in 2003, 462,384 documents were recorded which is a 9.7 percent increase over the 2002 total. These figures represent record-breaking years for the Land Records section. Circuit Court and Records data indicate that approximately 80 percent of the trusts recorded were associated with refinancing, while the remaining 20 percent was associated with home purchases. Prior to the automated recording system, land documents were manually processed through 12 steps (representing approximately 42 million pages handled) during the recording process. Through advanced technologies such as digital imaging and electronic filing, the Clerk's office is revolutionizing the manner in which court documents are recorded and filed. While these technologies are a major improvement in public service to all users of this recording and retrieval system, the technologies have not fully addressed the high volume workload of the Land Records staff. The average backlog of mailed documents is 12,500 documents, which equates to approximately 62.5 days of work for the Land Records staff. Verification and mailing back the documents add to the backlog problem such that the total backlog equates to 125 days of work for this section. More on each agency in this program area can be found in the individual narratives that follow this section.

Linkage to County Vision Elements

This program area supports the following four of the seven the County Vision Elements:

- Maintaining Safe and Caring Communities
- Connecting People and Places
- Creating a Culture of Engagement
- Corporate Stewardship

Predominant among the strategic priorities of this program area is the **Maintaining Safe and Caring Communities** vision element. All four of the agencies work in concert to realize that vision. After defendants are booked, the staff in the General District Court's Pre-Trial Release program performs a review to determine which defendants can be released at the initial bail hearing instead of at the arraignment hearing. This saved 2,327 jail days in FY 2003, reducing the cost of incarceration, while ensuring that the public is at minimal risk. The state-mandated Pre-Trial Risk Assessment instrument is used to improve the assessment of defendants' risk factors. All three courts – Circuit, General District, and Juvenile and Domestic Relations District (in the Public Safety program area) worked closely to create a standardized list of qualified foreign language interpreters to ensure that only the most qualified are used in the courtroom, thus affording equal access to non-English petitioners before the court. The courts are also increasing the number of volunteers recruited and are expanding their duties to help address a growing workload without adding paid positions. Managing community service is another key function of the General District Court, which oversaw a 128 percent increase in the number of community service hours provided during FY 2003. They managed this improvement this while developing new approaches to handle placements in-house to avoid increased costs by placement agencies.

Judicial Administration agencies are using technology extensively to address the **Connecting People and Places** vision element. The Circuit Court is continually making additional forms available on their website. These forms are consistent in form and processing capabilities with state and County paper forms and are interactive, meaning that the public can access and complete them conveniently at home, saving unnecessary trips to the Judicial Center. Citizens also have access to juror information 27 hours a day, seven days a week through the web and the telephone, allowing them access when they need it, not just when staff is available. The Circuit Court is also working to expand the capability of any authorized party to enter into an agreement with the Clerk of the Circuit Court to electronically file any type of land document. The County was instrumental in initiating a change in the *Code of Virginia* to expand the types of land records that could be electronically recorded. A pilot in FY 2003 allowed for government or quasi-government agencies to electronically file mortgage releases. Based on the success of that pilot, e-filing will be expanded with an estimated 40 percent of land records anticipated to be filed this way within five years.

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This program area also emphasizes the use of volunteers as critical to **Creating a Culture of Engagement**. As noted above under the Maintaining Safe and Caring Communities vision element, the number and scope of volunteer opportunities have been expanded. This helps leverage scarce resources as volunteers provide support for administrative, accounting and technology functions. This also helps them to better understand the role the courts play in the community and connects them to their local government. Volunteer opportunities are not only advertised through Volunteer Fairfax, but are also posted on the County website to provide easier and more widespread access.

Managing in a resource-constrained environment, while the service population and accompanying needs are increasing, presents a challenge to be creative if agencies are to fulfill their missions. As an example of **Exercising Corporate Stewardship**, the courts implemented a case management e-filing system with imaging components to place case information on the Internet, providing attorneys and others with 24/7 access to court calendars and information screens.

Program Area Summary by Character

Category	FY 2003 Actual	FY 2004 Adopted Budget Plan	FY 2004 Revised Budget Plan	FY 2005 Advertised Budget Plan
Authorized Positions/Staff				
Years				
Regular	344/343	343/342	341/340	341/340
Exempt	28/28	28/28	29/29	29/29
State	139/132	139/132	139/132	139/132
Expenditures:				
Personnel Services	\$20,113,280	\$20,303,188	\$20,525,348	\$21,046,334
Operating Expenses	6,782,311	6,079,404	6,605,383	6,058,463
Capital Equipment	6,997	0	0	0
Total Expenditures	\$26,902,588	\$26,382,592	\$27,130,731	\$27,104,797
Income ¹	\$20,855,459	\$15,476,439	\$21,227,417	\$17,438,171
Net Cost to the County	\$6,047,129	\$10,906,153	\$5,903,314	\$9,666,626

¹ Decrease in income for the FY 2004 Adopted Budget Plan was due to an anticipated reduction in Recordation/Deed of Conveyance taxes associated with lower mortgage and refinancing activity forecasted. However, this has not yet occurred and the revenue estimate was revised upward for FY 2004.

Program Area Summary by Agency

Agency	FY 2003 Actual	FY 2004 Adopted Budget Plan	FY 2004 Revised Budget Plan	FY 2005 Advertised Budget Plan
Circuit Court and Records	\$8,423,726	\$8,718,833	\$9,456,440	\$9,441,655
Office of the Commonwealth's Attorney	1,685,973	1,935,721	1,937,387	2,006,605
General District Court	1,573,296	1,527,236	1,536,102	1,572,251
Office of the Sheriff	15,219,593	14,200,802	14,200,802	14,084,286
Total Expenditures	\$26,902,588	\$26,382,592	\$27,130,731	\$27,104,797

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Budget Trends

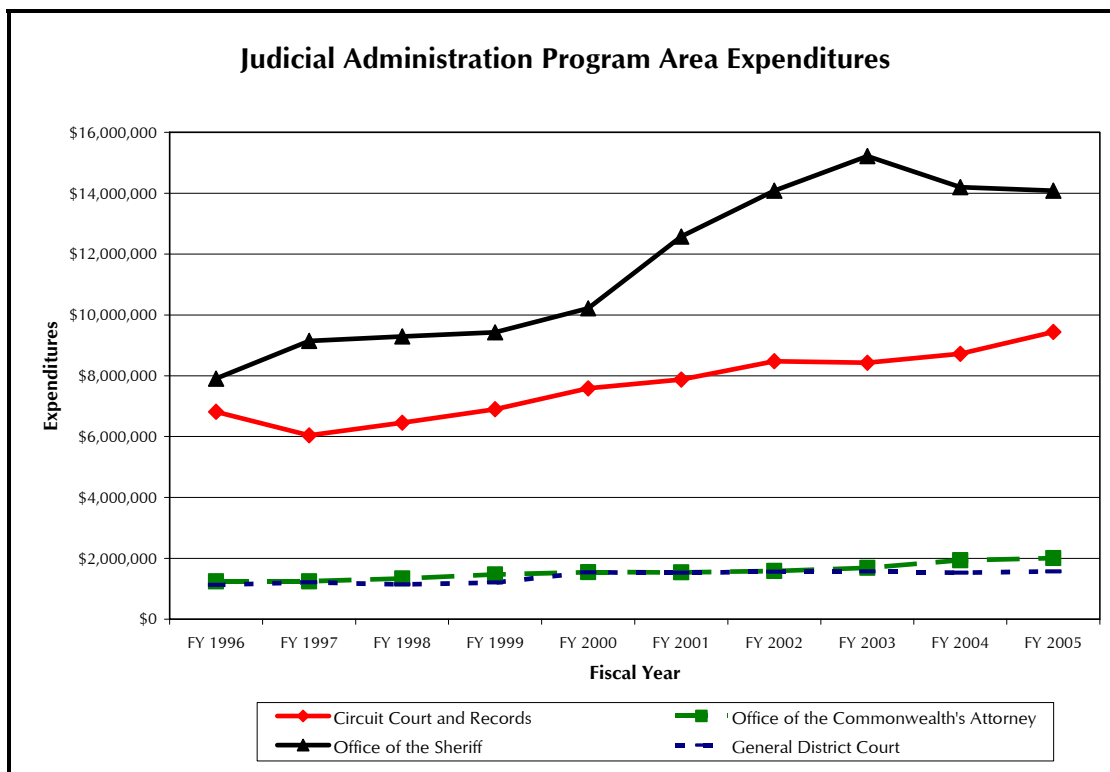
For FY 2005, the recommended funding level of \$27,104,797 for the Judicial Administration program area comprises 2.7 percent of the total recommended General Fund expenditures of \$1,004,209,088. It also includes 370 or 3.2 percent of total authorized positions for FY 2005 (not including State positions).

During the period FY 2002-FY 2004, the real estate tax rate was reduced from \$1.23 to \$1.16 per \$100 assessed value. As a result, reductions from anticipated spending levels were made in many County agencies to offset the loss in anticipated revenue. In most County agencies, expenditures have still increased during this period to account for ongoing operational requirements; however, overall General Fund direct expenditures have been reduced by \$60,456,869 and overall County disbursements have been reduced by \$100,922,037 as a result of the real estate tax rate reductions.

This program area has experienced budget reductions totaling \$1,589,386 or 2.6 percent of General Fund direct expenditure reductions to date. In addition, 1 position has been abolished as part of those reductions. This represents 0.6 percent of General Fund positions eliminated to date.

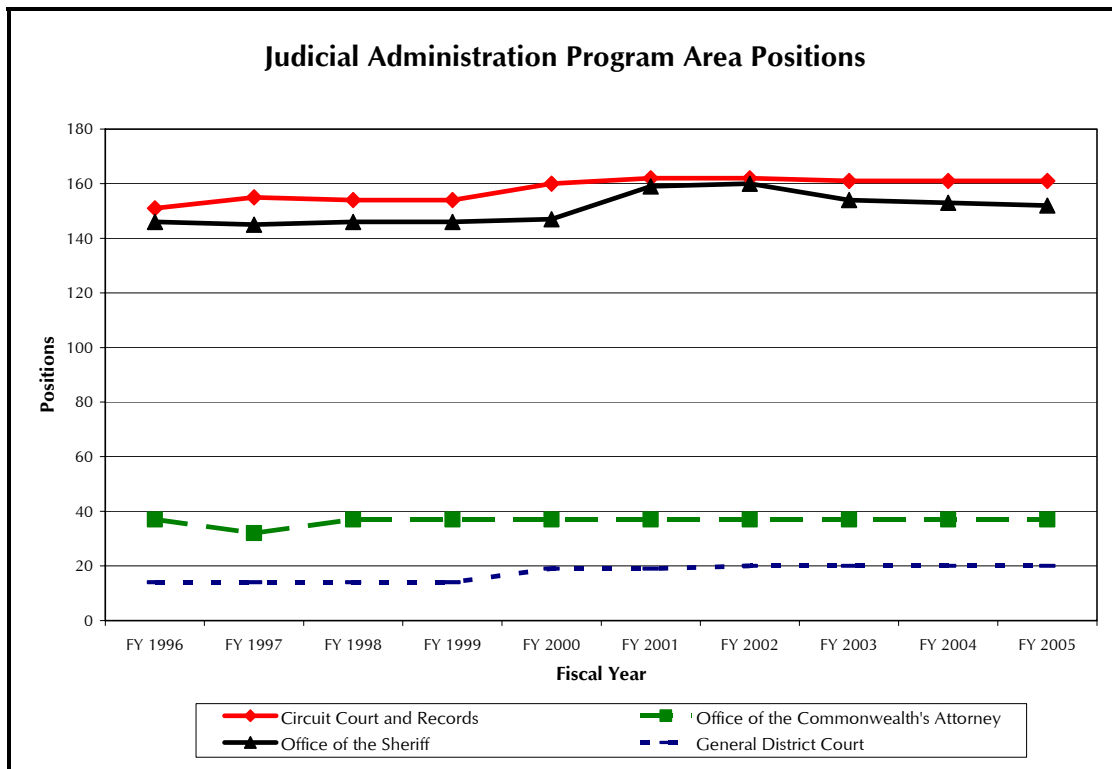
The following graphs illustrate funding and position trends for the four agencies in this program area.

Trends in Expenditures and Positions

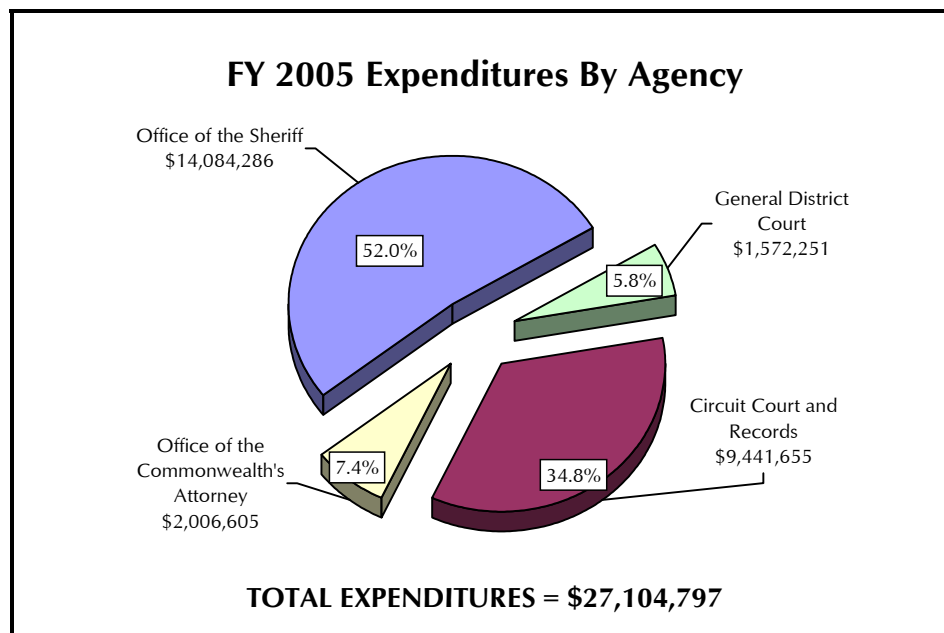


Note: The spike in expenditures during FY 2003 was due to two payments made to the consultant for the Illegal Alien Grant, based on the timing of the grant award. In addition, FY 2003 overtime costs were higher than anticipated due to turnover.

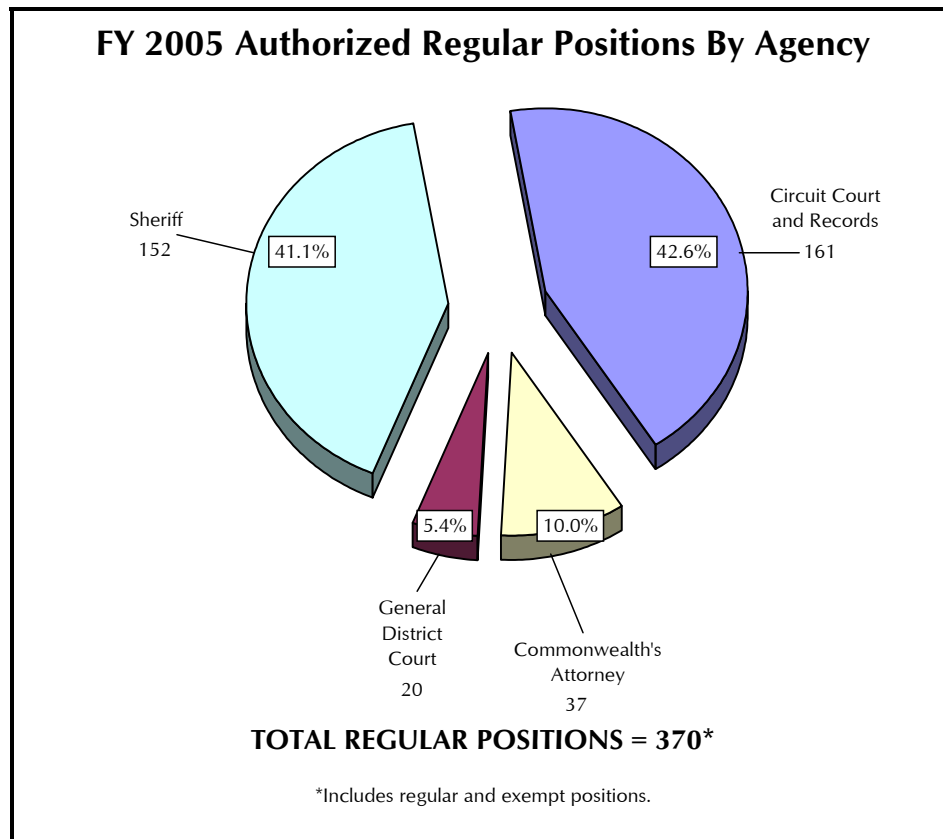
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FY 2005 Expenditures and Positions by Agency



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Benchmarking

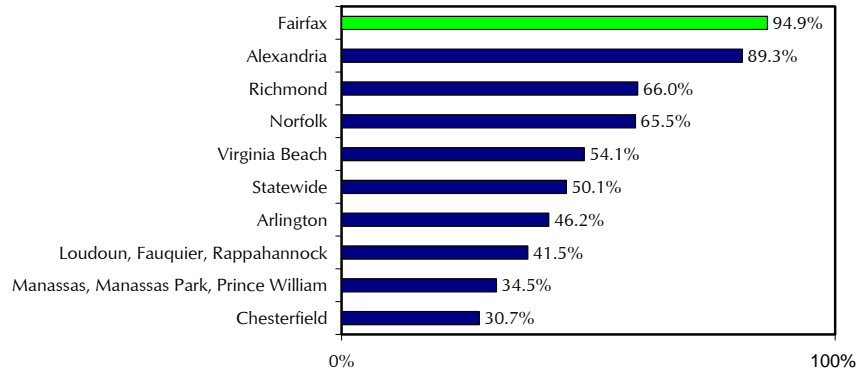
While the majority of Fairfax County's comparative performance data comes from participation in the International City/County Management Association's (ICMA) benchmarking effort, judicial administration is not a service area that is addressed in that program. However, the State Supreme Court produces an extensive report on the annual "State of the Judiciary." The most recent report available is for Calendar Year 2002. This report provides detailed data for each of the districts in the Commonwealth of Virginia and addresses Circuit, General District and Juvenile and Domestic Relations District Courts. Trends within each district are provided as are comparisons to state averages. The charts shown below reflect data from this report. While the cases filings per capita shown below reflect a lower level due to the County's large population, workload per judge continues to increase.

At the end of 2002, there were 25,689 pending cases for the Nineteenth Circuit Court (Fairfax County and Fairfax City). This was an increase of 1.3 percent over 2001 levels, which relates closely to the 1.6 percent population growth in the County for that period. The number of pending cases per judge stood at 1,713, 17th in the state among circuit courts. As can be seen below, 94.9 percent of felony cases concluded in the Nineteenth Circuit in 2002 reached termination within 120 days of initiation. A total of 97.8 percent were disposed of within 180 days. Among the 31 circuits, the Nineteenth ranked first in 2002 in terms of the percentage of felonies tried/adjudicated within 120 days of arrest, attesting to the timeliness of justice in Fairfax County. Statewide, 50.1 percent of criminal cases were concluded within 120 days and 69.1 percent within 180 days in 2002.

In 2002, the 10 General District Court judges averaged 27,114 new cases and 25,107 hearings per judge. These averages were the 11th and 18th highest, respectively in the state. The average number of new cases per judge in the Nineteenth in 2002 was 1,825 more than statewide average of 25,289 new cases per judge and 1,751 above the 2002 urban judge average of 25,363.

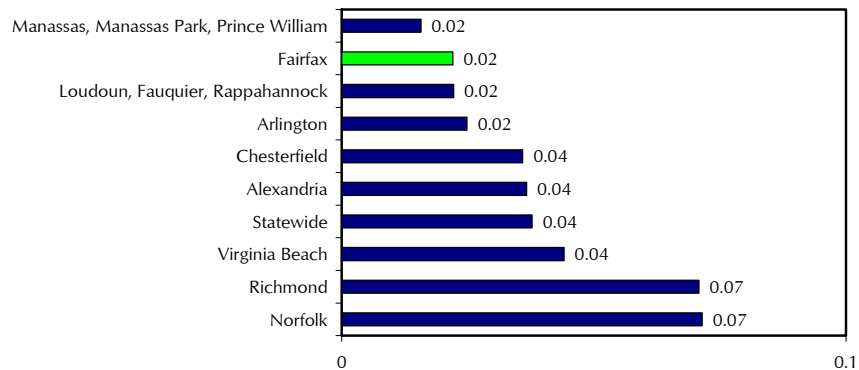
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CIRCUIT COURT FELONIES TRIED/ADJUDICATED WITHIN 120 DAYS



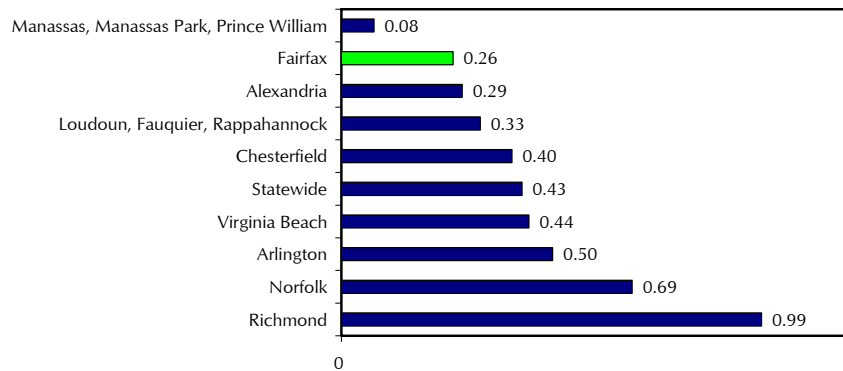
Source: 2002 State of the Judiciary Report

CASE FILINGS: CIRCUIT COURT Case Filings per Capita



Source: 2002 State of the Judiciary Report

CASE FILINGS: GENERAL DISTRICT COURT Case Filings per Capita



Source: 2002 State of the Judiciary Report

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